

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DAVID M. KRAUSE
Petitioner,

COMMONWEALTH OF
PENNSYLVANIA, et al.,
Respondents.

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CIVIL ACTION

NO. 12-3761

ORDER

MICHAEL M. BAYLSON, J.

AND NOW, this 22nd day of May, 2013, upon careful and independent consideration of the petition for Writ of *Habeas Corpus*, and after review of the Report and Recommendation of United States Magistrate Judge Linda K. Caracappa, IT IS ORDERED that:

- v. The Report and Recommendation is APPROVED and ADOPTED.
- vi. The petition for Writ of *Habeas Corpus* is DISMISSED with prejudice.
- vii. There is no probable cause to issue a certificate of appealability.
- viii. The Clerk of the Court shall mark this case closed for statistical purposes.

BY THE COURT:



MICHAEL M. BAYLSON, J.